IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 683 of 2004 (M/B)

Imran Ahmad s/o Shri Furkhan Ahmad,
R/o Raja Club, Mallital, Nainital …… Petitioner

Versus

1. State of Uttaranchal through its Secretary in the department Urban Development, Dehradun.
2. Nagar Palika Parishad, Nainital through its Executive Officer
3. Executive Officer, Nagar Palika Parishad, Nainital.
4. Chairman, Nagar Palika Parishad, Nainital …… Respondents

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Sri T.A.Khan, Advocate for the petitioner.
Sri J.P.Joshi, Addl. C.S.C. for respondent no. 1.
Sri Manish Dalakoti, Advocate on behalf of Sri D. S. Patni, Advocate for respondents 2, 3 and 4.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C J. (Oral)

Sri T. A. Khan, the learned counsel for the petitioner.

Sri J.P.Joshi, the learned Addl. Chief Standing Counsel for respondent no. 1.

Sri Manish Dalakoti, Advocate on behalf of Sri D. S. Patni, the learned counsel for respondents 2, 3 and 4.

2. Sri Khan, the learned counsel for the petitioner, seeks permission to withdraw the writ petition with the liberty of making a representation to Nagar Palika Parishad, Nainital for allotment of the shop in view of the judgment dated 21.05.2004 passed in Writ Petition No. 471 (M/B) of 2003 on the ground of parity between the case of the petitioner and that of the petitioner in Writ Petition No. 471 (M/B) of 2003.

4. Permission granted.

5. With the above liberty, the writ petition is dismissed as withdrawn.

(Prafulla C. Pant, J.) 06.06.2006 **(Rajeev Gupta, C. J.)** 06.06.2006

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